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F732 Ray A radio talk by W. W. Vincent, chief, Western District, Food and Drug Administration, delivered June 26 through stations KGO, San Francisco, KECA, Los Angeles and KHQ, Spokane, at 9:45 a.m. Pacific Standard Time.

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U. S. DEPARTMENT OF AG.

Good Morning, Folks! The response to my talks is so gratifying that I just can't help reminiscing a little more today. I find that very few of you had heretofore considered the food industry of such importance. You had not realized that more than half the income and energy of a great portion of our population was being spent to provide food for the family and that more than half the people of the country were engaged in work directly or indirectly connected with food.

I find that you want to know how many of us are looking after the enforcement of the Federal Food and Drugs Act and the methods by which we operate. I find that you want to know all about the canning business, the patent medicine business; in fact everybody seems to be interested in the food they eat and the drugs they use. I find that some of my friends want to know if we still get large quantities of Chinese eggs; what such and such a patent medicine contains; many of you are asking questions that have direct bearing on the enforcement of the Food and Drugs Act.

The inquiry about Chinese eggs recalls a story in which I know you will be interested. A story of eggs ripe in experience, bad eggs, and people handling them, who in my opinion, were not so good. Before I tell you that story I should just mention that the Federal Food and Drugs Act in addition to guaranteeing you the quality of our domestic products, likewise assures of an equally satisfactory quality in imported foods and drugs. Every importation of foods and drugs into the U.S. is amenable to the Food and Drugs Act and must pass scrutiny of your Food and Drug agents.

Some years back when fresh eggs reached a very high figure a large importing concern started bringing immense quantities of shell eggs in from China. I think they cost the importer about six cents a dozen in Shanghai. Practically every boat from the Orient at that time seemed to carry some. Few of the boats had refrigeration, eggs being shipped stored between decks. Along in July 500 cases arrived that, in the opinion of your food and drug officials, were clearly not fit for food. They accordingly recommended to the Collector of Customs that the eggs be exported or destroyed. The Collector so ordered, and the importing concern indicated a desire to reship them beyond the boundaries of the U. S., which permission was granted.

The Food and Drugs Act does not permit arbitrary destruction of a product counter to the importer's wishes. It requires only that permission to enter the country be refused if the product is in violation of the law. Bonds are provided by importers or their agents to insure the redelivery to the Customs Service of any product so ordered exported or destroyed.

Under this bond the importer was faced with the exportation of the eggs. He had already gotten them in his possession. What did he do? He put his egg candlers to work candling out eggs not so rotten but that they could be disposed of to certain individuals not particular as to quality. The black rots

and spots they placed in the original containers and from other egg candling plants of the city secured rots and spots to take the place of the material they had by subterfuge disposed of. In all they exported 500 cases but not the 500 cases that should have been exported. Other importations of the same general character kept coming along until in November there was one lot of 2450 cases. Think of it, 73,500 dozen eggs offered for entry in one shipment. These were detained and the importer instructed to export or destroy them. They contained a large number of rotten eggs. The importer appealed and five additional cases were sent up to your food laboratory for examination. Under the terms of the bond provided for importers the dealer had already gotten these eggs in his possession. Accordingly, when the additional sample of eggs came to the laboratory a very close scrutiny was given to the cases and it was decided that they had probably been tampered with.

The candling of the eggs revealed a better condition than upon the first sampling. As the amount of money involved was so great, and since eggs deteriorate so quickly, permission was granted the importer to candle these eggs to the satisfaction of a representative of the food laboratory. Provision was made for the destruction of the rejected material under Customs supervision and after such candling there was a total of 882 cases destroyed. The importer, knowing the condition of the eggs, had been in a hurry to get them into commerce and disposed of approximately 300 cases. The lot as imported bore a designating mark "P". A subsequent lot imported was marked "Q". In order to account for the 300 cases they scratched the tail off the letter "Q" and substituted those cases for the 300 disposed of. The latter shipment, too, was of better quality. By subterfuge the "Q" lot of eggs had furnished the material for the second sampling and gave them the candling privilege. The Government's regulation of these importations and insistence upon thorough candling and subsequent destruction of bad eggs, together with the expense involved upon the importer, soon showed him heavy losses in spite of the irregularities previously mentioned.

Feeling secure in the belief that the Government agents were not aware of his shady dealings the importer decided that a damage suit against the principles of the Food and Drug agents might yield him a profit if it could be shown the spoilage had occurred in the delay incident to their rejection, candling, and in the fact that officials had been arbitrary in insisting upon what he termed unnecessary and improper actions. He sued them for \$28,588.70.

Here was a serious matter: That an agent of your Government protecting your food supply would wantonly, maliciously and with reckless disregard of the rights of certain citizens, prevent the importation of good eggs and damage an importer to the extent of \$28,000. Irregularities such as were known to exist in that concern's handling of its import business are sometimes difficult to prove in court. Witnesses on their payroll, who were actually parties to what constituted a conspiracy action to defeat the provisions of the Food and Drugs Act, naturally were not prone to talk.

However, evidence must be secured and quickly to prove that irregularities had existed; that rotten eggs were disposed of; that cases delivered to the Custom House had been tampered with and questionable eggs removed; that good ones had been placed therein before receipt at laboratory; that rotten eggs gathered from the market at large were exported in lieu of those imported.

Your present speaker was involved in this case.

The afternoon the damage suit was filed we started on a hunt, a hunt for men who worked for crooks and had made the mistake of going too far in the carrying out of instructed orders. By 5 o'clock we had the name of one former employee we believed of reputable character. By 5:30 it was believed he might be in Los Angeles and at 6 o'clock your agent was on the train. Never mind, how he found him but at 5 o'clock the following day the man had been located, interviewed, and at 7 o'clock was on his way north.

By evening of the following day, that man and others, who before, had not chosen to talk, had presented their evidence before a Federal Grand Jury which subsequently voted an indictment charging several of the men connected with that importing corporation with having willfully, unlawfully, wickedly, corruptly, knowingly and feloniously conspired, combined, confederated and agreed together to defraud the United States.

That indictment naturally closed the damage suit. Further, you can guess that those men discontinued the Chinese egg business. This is but an instance illustrating how the application of the Federal Food and Drugs Act serves to protect you. Those eggs, such as passed our examinations frequently were loaded immediately into the cars and shipped to the four corners of the U. S. Almost invariably the dealers receiving them complained of their quality. The eggs broke down rapidly, in many instances quickly becoming unfit for food. The long shipment from China with improper condition of storage was the cause.

Now, don't get the impression that all Chinese eggs are bad. Enormous quantities of dried whole eggs, yolks and albumen are annually brought into this country from China as are likewise canned frozen eggs. All pass the close scrutiny of your Food and Drug agents before entering our channels of commerce. By the way, you seldom get a bad egg any more. Why is that? Your food and drug inspectors, I believe, are responsible. They have been candling and seizing rotten eggs found in interstate commerce for a great many years as shown by numerous Notices of Judgment. The food officials are still active but methods of handling and shipping eggs have been revolutionized. I doubt if many of you know our western eggs frequently command a premium on the New York market, something over 3000 miles from home.

I seem to have been rambling a little; in fact, I haven't spoken of labels. However, while on the subject of imported foods and drugs I might just mention that if you read your label you will as a rule, if the material is in the original imported package, find a statement thereon designating its country of origin. Some people don't like to buy imported food commodities, preferring a home product put up by Americans and for Americans. Now, this label business is important. I remember a label printer who used to attend all the various meetings of food producers. Being a very entertaining fellow he was usually called upon to say a few words. Naturally, his thoughts ran to labels and he usually introduced his remarks with a little poem. As I recall it went as follows:

A little strip of paper
A little bit of paint
Makes a tin of canned food
Look like what it ain't.

There was a lot of truth in that little poem prior to the day the enforcement of the Food and Drugs Act got fully under way. Today the label on a package

of food or of drugs constitutes the manufacturer's letter of introduction, his credentials for the commodity he sends you. As a contrast to the sentiment expressed in the little poem, I quote you a paragraph from an editorial appearing in Canning Trade of March 17, 1930. This is in comment on a series of talks such as I am giving.

"And so will be forced upon the packer canned foods the necessity of telling something on his labels, and it is about time. For when the housewives of the country come to read the labels on the cans they will not be satisfied with the mere name of the product, the brand, nor even the name of the canner. They will expect and demand a statement of the quality and kind hidden from sight -- and they will judge the truthfullness of the statement seriously. You have made a good move."

Should the label of a commodity be false or misleading in any respect you can not help but judge the manufacturer as a man who would take advantage of his fellowman. Remember, you have trusted him. You purchased the commodity without being able to view the product within the container. Further, the Federal Food and Drugs Act guarantees to you there shall be no false or misleading statement upon that label. Should you at any time be deceived write to your nearest Food and Drug Inspection Station and acquaint the officials there with the facts.

If you have not already done so, write to W.W.Vincent, Federal Food and Drug Laboratories, San Francisco, California, for our "Read the Label" information. This week we shall send all new and formerly enrolled-- Label Readers, the facts about reading labels of vinegar and of canned corn. Newly enlisted Label Readers also will receive all former issues of our information sheets.

Next Thursday, some stories of our conquest of vicious patent medicine frauds, and facts on labels of antiseptic preparations.

